

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JOHN L. KING, II,

Petitioner

-vs-

JOHN PALAKOVICH, and
PENNSYLVANIA ATTORNEY GENERAL,

Respondents

NO. 3:CV-06-2089

(Judge Kosik)

ORDER

NOW, THEREFORE, THIS 14th DAY OF NOVEMBER, 2006, IT APPEARING TO THE COURT THAT:

- (1) Petitioner, John L. King, II, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. §2254 on October 24, 2006;
- (2) On October 26, 2006, this court issued an Order and Notice of Election in accordance with *United States v. Miller*, 197 F.3d 644 (3d Cir. 1999) and *Mason v. Meyers*, 208 F.3d 414 (3d Cir. 2000); and,
- (3) On November 13, 2006, petitioner returned the Notice of Election indicating that he chooses to withdraw his petition so that he may file an all-inclusive petition under 28 U.S.C. §2254 within the one-year limit for filing such a petition;

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

- (1) The petition for writ of habeas corpus filed by petitioner, John L. King, II, on October 24, 2006 is withdrawn; and,
- (2) The Clerk of Court is directed to CLOSE this case.

s/Edwin M. Kosik
United States District Judge